

1-1 By: Menedez (Senate Sponsor - Uresti) H.B. No. 447
1-2 (In the Senate - Received from the House March 31, 2011;
1-3 April 13, 2011, read first time and referred to Committee on
1-4 Veteran Affairs and Military Installations; May 2, 2011, reported
1-5 adversely, with favorable Committee Substitute by the following
1-6 vote: Yeas 4, Nays 0; May 2, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 447 By: Birdwell

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the powers of a defense base development authority.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 379B.004(a), Local Government Code, is
1-13 amended to read as follows:
1-14 (a) An authority may exercise power necessary or convenient
1-15 to carry out a purpose of this chapter, including the power to:
1-16 (1) adopt an official seal, or alter it;
1-17 (2) adopt rules;
1-18 (3) enter into a contract or incur a liability;
1-19 (4) acquire and dispose of money;
1-20 (5) select a depository;
1-21 (6) establish a system of accounts for the authority;
1-22 (7) invest funds in accordance with Chapter 2256,
1-23 Government Code;
1-24 (8) set the fiscal year for the authority;
1-25 (9) adopt an annual operating budget for major
1-26 expenditures before the beginning of the fiscal year;
1-27 (10) borrow money or issue a bond in an amount that
1-28 does not exceed the maximum amount set by the board;
1-29 (11) loan money;
1-30 (12) acquire, lease, lease-purchase, convey, grant a
1-31 mortgage on, or otherwise dispose of a property right, including a
1-32 right regarding base property;
1-33 (13) lease property located on the base property to a
1-34 person to effect the purposes of this chapter;
1-35 (14) request and accept a donation, grant, guaranty,
1-36 or loan from any source permitted by law;
1-37 (15) operate and maintain an office;
1-38 (16) charge for the use, lease, or sale of an open
1-39 space or a facility [or service];
1-40 (17) exercise a power granted to a municipality by
1-41 Chapter 380;
1-42 (18) authorize by resolution the incorporation of a
1-43 nonprofit airport facility financing corporation as provided and
1-44 authorized by Subchapter E, Chapter 22, Transportation Code, to
1-45 provide financing to pay the costs, including interest, and
1-46 reserves for the costs of an airport facility authorized by that
1-47 chapter and for other purposes set forth in the articles of
1-48 incorporation;
1-49 (19) exercise the powers granted to a local government
1-50 for the financing of facilities to be located on airport property,
1-51 including those set out in Chapter 22, Transportation Code,
1-52 consistent with the requirements and the purposes of Section 52-a,
1-53 Article III, Texas Constitution;
1-54 (20) lease, own, and operate an airport and exercise
1-55 the powers granted to municipalities and counties by Chapter 22,
1-56 Transportation Code;
1-57 (21) lease, own, and operate port facilities for air,
1-58 trucking, and rail transportation;
1-59 (22) provide security for port functions, facilities,
1-60 and operations; and
1-61 (23) cooperate with and participate in programs and
1-62 security efforts of this state and the federal Department of
1-63 Homeland Security.

2-1 SECTION 2. Chapter 379B, Local Government Code, is amended
2-2 by adding Sections 379B.0042 and 379B.0043 to read as follows:

2-3 Sec. 379B.0042. SERVICES. An authority may charge for a
2-4 service provided, including:

2-5 (1) professional consultation services provided in
2-6 relation to international trade, planning, land use, or
2-7 construction;

2-8 (2) real estate development services, including an
2-9 employee licensed under Chapter 1101, Occupations Code, acting as a
2-10 broker;

2-11 (3) support or participation in the acquisition of
2-12 venture capital to finance the authority's redevelopment project,
2-13 both inside and outside the authority;

2-14 (4) participation in or assistance on a joint venture
2-15 composed of both public and private entities;

2-16 (5) promotion of an activity that creates employment
2-17 opportunities; and

2-18 (6) any other service provided in relation to a
2-19 project undertaken by the authority, alone or with others, to
2-20 fulfill an authority purpose or objective.

2-21 Sec. 379B.0043. TRANSPORTATION PROJECT. (a) An authority
2-22 may implement a transportation project:

2-23 (1) on the base property; or

2-24 (2) outside of the base property to provide access to
2-25 the base property.

2-26 (b) An authority may enter into an agreement with any
2-27 person, including another governmental entity, to plan, finance,
2-28 construct, or maintain a project described by Subsection (a).

2-29 (c) An authority may construct a building, loading dock, or
2-30 other facility as part of a transportation project described by
2-31 Subsection (a)(1).

2-32 SECTION 3. This Act takes effect September 1, 2011.

2-33 * * * * *